

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 218 of 1989

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
  4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
  5. Whether it is to be circulated to the Civil Judge? : NO

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N T AGHARA

Versus

BHUJ MUNICIPALITY  
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Appearance:

MR DC RAWAL for Petitioners

None present for Respondent  
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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 23/03/2000

ORAL JUDGEMENT

#. Mr.Rawal filed additional affidavit of one of the petitioners. The dispute regarding claim of petitioners for leave encashment no more now remains as the petitioners admitted that they have received leave encashment amount from the respondent. So far as the

claim for conveyance allowance is concerned, that has also been granted from 1.6.93. They are claiming this allowance from 1.7.88. So the dispute remains only for the period from 1.7.88 to 31.5.93. Regarding house rent allowance, the petitioner No.1 has already received it but the petitioner No.2 has been given H.R.A. from 1.4.91. So the dispute relates to the period from 1.12.88 to 31.3.91 regarding this claim of petitioner No.2 only. So far as the claim of selection grade is concerned, that also appears to have been given to the petitioners though very specifically it is not mentioned.

#. So interest of justice will be served in case this writ petition is disposed of in terms that the respondent to consider re.: claim of petitioners for conveyance allowance from 1.7.88 to 31.5.93, re.: claim of petitioner No.2 for H.R.A. from 1.12.88 to 31.3.91 and claim of petitioners for selection grade from 1.6.87. In case these claims of the petitioners are not acceptable, the respondent has to pass a reasoned order and a copy of the same be sent to the petitioners by registered post A.D.. So far as the claim of petitioner No.2 for H.R.A. from 1.1.86 to 31.8.87, is concerned, it deserves no acceptance. This exercise has to be undertaken and completed within a period of two months from the date of receipt of writ of this order or certified copy thereof, whichever is earlier. In case of difficulty, liberty is granted to petitioners for revival of this special civil application. The special civil application and Rule stand disposed of accordingly with no order as to costs.

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(sunil)